## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

CARL BIRDWELL, INDIVIDUALLY AND ON BEHALF OF SIMILARLY SITUATED;	\$\$ \$\$ \$\$	SA-20-CV-00855-JKP
Plaintiff,	8 8 8	
VS.	\$ \$ 8	
LENCHO OILFIELD SERVICES INC.,	8 8	
LAWRENCE DECULIT,	§	
Defendants.	<b>§</b> §	

## **ORDER**

Before the Court in the above-styled and numbered cause of action is the parties' Joint Motion to Extend Deadlines [#30]. By their motion, the parties ask the Court to extend the previously imposed deadline to take Defendants' corporate representative deposition, to file a motion to issue notice to any similarly situated employees, and to submit a proposed scheduling order by two weeks. The parties also ask the Court to continue the initial pretrial conference scheduled for July 20, 2021, in light of the requested extensions. The Court will grant the motion.

IT IS THEREFORE ORDERED that the parties are authorized to undertake the following limited discovery during this initial phase: Plaintiff may depose Defendant's corporate representative on or before July 22, 2021, but may only depose the representative on the following topics: (1) Plaintiff Birdwell's pay, hours worked, and duties, including but not limited to questions regarding Plaintiff Birdwell's employee file, pay records, time records, and other responsive documents produced by Defendants; (2) the manner in which Solid Control Technicians were paid, including the specifics of how their pay was calculated; (3) the duties of

Solid Control Technicians; and (4) the extent to which Plaintiff Birdwell's pay and duties were

consistent with other Solid Control Technicians' duties and pay.

IT IS FURTHER ORDERED that Plaintiff FILE any motion to issue notice to

similarly situated employees on or before August 6, 2021.

IT IS FURTHER ORDERED that the parties SUBMIT an amended proposed

scheduled order pursuant to Local Rule CV-16(c) and in accordance with the instruction in the

Court's Order [#21] no later than **August 13, 2021**.

IT IS FINALLY ORDERED that this case is SET for a TELEPHONIC STATUS

CONFERENCE on August 19, 2021 at 11:00 a.m. Counsel for all parties are required to

**appear by phone** for the conference. The contact information for the conference is as follows:

\*\*Please call in 5 minutes prior to start of conference.\*\*

1. Toll free number: 888-808-6929

2. Access code: 9923187

3. Participant Security Code: 081921

If there are questions regarding the telephonic appearance, the parties should contact Valeria

Sandoval, Courtroom Deputy, at txwdml\_chambers\_sa\_judgechestney@txwd.uscourts.gov.

The use of speaker phones is prohibited during a telephonic appearance. Additionally,

because earlier hearings in other cases may be in progress at the time attorneys call in for their

scheduled conference, attorneys should call in with their phones on "mute" and wait for the

Courtroom Deputy to address them before they speak.

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## IT IS SO ORDERED.

SIGNED this 1st day of July, 2021.

ELIZABETH 8. ("BETSY") CHESTNEY UNITED STATES MAGISTRATE JUDGE